

# UNITED STATES DISTRICT COURT

## Western District of North Carolina

UNITED STATES OF AMERICA

V.

Joseph Derrick Eller

) **JUDGMENT IN A CRIMINAL CASE**  
 ) (For **Revocation** of Probation or Supervised Release)  
 ) (For Offenses Committed On or After November 1, 1987)

)  
 ) Case Number: DNCW505CR00006-002  
 ) USM Number: 19899-058  
 )  
 ) Alicia DeLaney Brooks  
 ) Defendant's Attorney

**THE DEFENDANT:**

- ☒ Admitted guilt to violation of condition(s) 2, 5, 6, 7 & 8 of the term of supervision.  
☐ Was found in violation of condition(s) count(s) after denial of guilt.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following violation(s):

Violation Number	Nature of Violation	Date Violation Concluded
2	New law violation – misdemeanor larceny	1/21/13
5	Failure to report contact with law enforcement officer	4/25/13
6	Drug/alcohol use	4/25/13
7	Failure to comply with drug testing/treatment requirements	4/17/13
8	Failure to report to probation officer as instructed	3/29/13

The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☐ The Defendant has not violated condition(s) and is discharged as such to such violation(s) condition.  
☒ Violation(s) 1, 3 & 4 are dismissed on the motion of the United States.

**IT IS ORDERED** that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 2/5/2014



Richard L. Voorhees  
 United States District Judge



Date: February 10, 2014

Defendant: Joseph Derrick Eller  
Case Number: DNCW505CR00006-002

Judgment- Page 2 of 3

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of THIRTY-SEVEN (37) MONTHS.

#### NO SUPERVISED RELEASE TERM TO FOLLOW TERM OF IMPRISONMENT.

- ☐ The Court makes the following recommendations to the Bureau of Prisons:
- ☒ The Defendant is remanded to the custody of the United States Marshal.
- ☐ The Defendant shall surrender to the United States Marshal for this District:
- ☐ As notified by the United States Marshal.
  - ☐ At am/pm on \_.
- ☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ As notified by the United States Marshal.
  - ☐ Before 2 p.m. on \_.
  - ☐ As notified by the Probation Office.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By: \_\_\_\_\_  
Deputy Marshal

Defendant: Joseph Derrick Eller  
Case Number: DNCW505CR00006-002

Judgment- Page 3 of 3

STATEMENT OF ACKNOWLEDGMENT

I understand that my term of supervision is for a period of \_\_\_\_\_ months, commencing on \_\_\_\_\_.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

I understand that revocation of probation and supervised release is mandatory for possession of a controlled substance, possession of a firearm and/or refusal to comply with drug testing.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) \_\_\_\_\_ Date: \_\_\_\_\_  
Defendant

(Signed) \_\_\_\_\_ Date: \_\_\_\_\_  
U.S. Probation Office/Designated Witness